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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/721,363	11/22/2000	Jari Suutarinen	796.377USW1	6589

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EXAMINER

LEE, JOHN J

ART UNIT	PAPER NUMBER
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2684

DATE MAILED: 05/22/2003

17

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/721,363

Applicant(s)

SUUTARINEN, JARI

Examiner

JOHN J LEE

Art Unit

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 28 January 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-13 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-13 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

1. Applicant's request for reconsideration of the finality of the rejection of the last Office action is persuasive and, therefore, the finality of that action is withdrawn.

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. **Claims 1 –13** are rejected under 35 U.S.C. 103(a) as being unpatentable over McKernan (US Patent number 5,031,204) in view of Vucetic et al. (US Patent number 5,819,177).

Regarding **claim 1**, McKernan discloses that a method of trace activation in a communications system, wherein a station is in communication with a mobile communications network, the method comprising the steps of:

activating tracing at the tracing facility for the mobile station from which the communication originates (Fig. 1, 2 and column 5, lines 14 – column 7, lines 19);

generating a trace report for the mobile station (Fig. 1, 6, abstract, and column 9, lines 32 – column 10, lines 26).

McKernan does not specifically disclose the limitation “directing a communication from the mobile station to a predefined trace activation number of tracing facility”. However, Vucetic discloses the limitation “directing a communication from the

mobile station to a predefined trace activation number of tracing facility” (Fig. 3, 4, 5 and column 6, lines 5 – column 7, lines 35). It would have been obvious to one having ordinary skill in the art, at the time the invention was made to modify McKernan system as taught by Vucetic. The motivations do so would be to achieve efficient network maintaining and reduce the cost for network management in mobile communication system.

Regarding **claim 2**, McKernan and Vucetic disclose all the limitation, as discussed in claim 1. Furthermore, McKernan further discloses that deactivating tracing when the call is ended (Fig. 1, 2 and column 5, lines 14 – column 7, lines 19).

Regarding **claim 3**, McKernan and Vucetic disclose all the limitation, as discussed in claim 1.

Regarding **claim 4**, McKernan discloses that deactivating tracing when a preset time period is elapsed (Fig. 8, 9 and column 12, lines 4 – column 13, lines 24).

Regarding **claim 5**, McKernan does not specifically disclose the limitation “deactivating tracing when a second message from the mobile station is directed to the predefined trace activation number”. However, Vucetic discloses the limitation “deactivating tracing when a second message from the mobile station is directed to the predefined trace activation number” (Fig. 4, 5, 6 and column 7, lines 23 – column 8, lines 60). It would have been obvious to one having ordinary skill in the art, at the time the invention was made to modify McKernan system as taught by Vucetic. The motivations do so would be to achieve efficient management for mobile communication.

Regarding **claim 6**, McKernan and Vucetic disclose all the limitation, as discussed in claim 1.

Regarding **claim 7**, McKernan and Vucetic disclose all the limitation, as discussed in claims 1 and 2.

Regarding **claim 8**, McKernan discloses that the communication is forwarded to the predefined trace activation number (abstract, Fig. 1, 2 and column 2, lines 32 – column 3, lines 14).

Regarding **claim 9**, McKernan does not specifically disclose the limitation “tracing is activated and deactivated automatically at the switching center”. However, Vucetic discloses the limitation “tracing is activated and deactivated automatically at the switching center” (Fig. 6, 7 and column 7, lines 65 – column 9, lines 36). It would have been obvious to one having ordinary skill in the art, at the time the invention was made to modify McKernan system as taught by Vucetic. The motivations do so would be to improve network management system for mobile communication.

Regarding **claim 10**, McKernan and Vucetic disclose all the limitation, as discussed in claim 1.

Regarding **claim 11**, McKernan and Vucetic disclose all the limitation, as discussed in claim 1.

Regarding **claim 12**, McKernan and Vucetic disclose all the limitation, as discussed in claim 1. Furthermore, McKernan further discloses that a communications network with which said at least one mobile station is arranged to communicate (Fig. 1 and abstract).

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Regarding **claim 13**, McKernan and Vucetic disclose all the limitation, as discussed in claims 1 and 12.

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Relyea et al. (US Patent number 5,930,344) discloses Tracing a Specific Communication.

Wang et al. (US Patent number 6,009,321) discloses Call Tracing.

Wong et al. (US Patent number 6,137,876) discloses Network Call Trace.

Any response to this action should be mailed to:

Commissioner of Patents and Trademarks
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or faxed to:

(703) 308-9051, (for formal communications intended for entry)

Or:

(703) 308-6606 (for informal or draft communications, please label
"PROPOSED" or "DRAFT").


Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive, Arlington, VA., Sixth Floor (Receptionist).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to **John J. Lee** whose telephone number is **(703) 306-5936**. He can normally be reached Monday-Thursday and alternate Fridays from 8:30am-5:00 pm. If attempts to reach the examiner are unsuccessful, the acting examiner's supervisor,

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Nay Aung Maung, can be reached on (703) 308-7745. Any inquiry of a general nature or relating to the status of this application should be directed to the Group receptionist whose telephone number is (703) 305-4700.

J.L
May 6, 2003


NAY MAUNG
PRIMARY EXAMINER

John J Lee